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10/509,262

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Mark S. George

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EXAMINER

GETZOW, SCOTT M

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



***Claim Rejections - 35 USC § 102***

1. Claims 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ives et al (6,198,958).

Re claim 11, Ives is considered to show means for locating at least one neural circuit (this can be done with the MRI system set forth in Ives, or the fMRI system discussed in column 1 of Ives), an electromagnetic coil (shown in figure 2), and means for delivering TMS from the coil (this is element 42). Re claim 12, fMRI is discussed in column 1. Re claim 13, the processing electronics is considered to have a CPU and memory since such structures are essential in the workings of the MRI device. Re claim 14, the Ives device can produce TMS dependent upon parameters inputted by the physician. The other language in the above claims is considered to be intended uses, not structural limitations, which the device of Ives can perform if desired by the user.

***Allowable Subject Matter***

2. Claims 1-10,15-21 are allowed.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Getzow whose telephone number is (571) 272-4946. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on (571) 272-4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Scott M. Getzow/  
Primary Examiner, Art Unit 3762